

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES, LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities, LLC,

Plaintiff,

v.

MINNETONKA MOCCASIN COMPANY,
INC. PENSION PLAN; DAVID MILLER, in
his capacity as Trustee of the Minnetonka
Moccasin Company, Inc. Pension Plan; and
MARSHALL MILLER, in his capacity as
Trustee of the Minnetonka Moccasin
Company, Inc. Pension Plan,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05141 (SMB)

STIPULATION TO AMENDMENT

IT IS HEREBY STIPULATED AND AGREED, by and between Irving H. Picard (the
“Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment

Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq., and the substantively consolidated estate of Bernard L. Madoff on the one hand, and the Minnetonka Moccasin Company, Inc. Pension Plan, David Miller, and Marshall Miller (collectively, “Defendants”) on the other hand, in each case by and through their respective attorneys, as follows:

1. On December 2, 2010, the above-captioned adversary proceeding was commenced by the Trustee against the Defendants.

2. On May 6, 2011, the Defendants timely served and filed their Answer to the Trustee’s Complaint in this matter.

3. Following the completion of certain portions of fact discovery, and pursuant to Federal Rule of Civil Procedure 15(a)(2) and Federal Rule of Bankruptcy Procedure 7015, Defendants have requested the Trustee’s consent to an amendment of Defendants’ Answer, which consent the Trustee has provided. This Stipulation confirms the Trustee’s consent in this regard.

4. Furthermore, and also pursuant to Federal Rule of Civil Procedure 15(a)(2) and Federal Rule of Bankruptcy Procedure 7015, the Trustee has requested Defendants’ consent to an amendment of the Trustee’s Complaint if the Trustee should determine that such amendment is necessary following the conduct of additional fact discovery, and Defendants have also provided that consent. This Stipulation confirms Defendants’ consent in this regard.

5. As a product of the parties’ stipulated consent to amendment, Defendants shall have until Friday, November 26, 2014 to serve and file their Amended Answer in this action.

Dated: November 21, 2014

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